

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

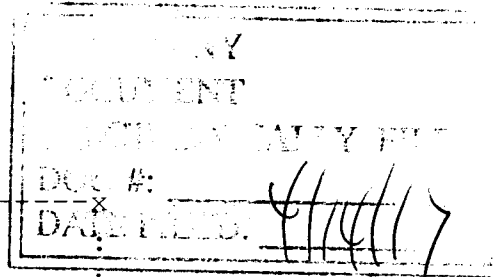
BENJAMIN COFFIELD,

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent.



07-cr-977 (JSR)

16-cv-3741 (JSR)

MEMORANDUM ORDER

JED S. RAKOFF, U.S.D.J.

On November 30, 2016, the Honorable Sarah Netburn, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending the denial of petitioner's motion to vacate his sentence pursuant to 28 U.S.C. § 2255. On January 19, 2017, petitioner filed objections to the Report and Recommendation. See ECF No. 20. On February 2, 2017, the Government filed opposition papers. See ECF No. 21. The Court has reviewed the objections and the underlying record de novo.

Having done so, the Court finds itself in complete agreement with Magistrate Judge Netburn's Report and Recommendation and hereby adopts its reasoning by reference. Coffield's claim fails for the additional reason that, even if his collateral attack on his sentence were not barred by his plea agreement under the principles applied in Sanford v. United States, 841 F.3d 578 (2d Cir. 2016), it would be foreclosed by the Supreme Court's recent decision Beckles v. United States, 137 S. Ct. 886 (2017), which was decided after the

parties' submissions had been filed in this case. Accordingly, the Court hereby denies the § 2255 motion, with prejudice. No certificate of appealability shall issue because Coffield has failed to make a substantial showing of the denial of a constitutional right. The Clerk of Court is directed to close the civil case and to close entry number 13 on the docket of the criminal case.

SO ORDERED.

Dated: New York, NY
April 12, 2017


JED S. RAKOFF, U.S.D.J.